REMARKS

An excess claim fee payment letter is submitted herewith for three (3) excess independent claim and for one (1) excess total claim.

Claims 1-21 are presently pending in this application. Claims 1-11 have been amended to more particularly define the invention. Claims 12-21 have been added to assure Applicant the degree of protection to which his invention entitles him

The claim amendments are made only to assure grammatical and idiomatic English and improved form under United States practice, and are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-11 were rejected under 35 U.S.C. §102(b) as being unpatentable over Blasbalg, U.S. Patent No. 4,032,719. This rejection is respectfully traversed.

The claimed invention is directed to a load dispersion-type duplex communication system, to a load dispersion-type duplex communication device, and to a load dispersion-type duplex communication method. A load dispersion-type duplex communication system in accordance with exemplary embodiments of the invention includes a plurality of duplexed transmission devices. Each transmission device is responsive to being in an allowable load state to perform a duplex operation with another transmission device and is further responsive to being in an overload state to perform a single and work-dividing operation with the other transmission device.

In another exemplary embodiment, a load dispersion-type duplex communication system in accordance with the invention includes two or more duplexed transmission devices. Each duplexed transmission device includes a receiving section for receiving data, a memory section for storing received data, an output section for outputting data from the memory section, a load detecting section for judging the amount of data stored in the memory section, and a control section responsive to the load detecting section judging that the amount of data stored in the memory section is causing that duplexed transmission device to be in an allowable load state, to cause the transmission device to operate in a duplex operation with another transmission device, and further responsive to the load detecting section judging that the amount of data stored in the memory section is causing that duplexed transmission device to be in an overload state, to cause the transmission device to operate in a single and work-dividing operation with the other transmission device.

In another exemplary embodiment, a load dispersion-type duplex communication device in accordance with the invention includes a received data selecting and multiplexing section, a memory section for storing data fed from the received data selecting and multiplexing section, a transmission path interfacing section for transmitting data from the memory section to a further device, a load detecting section for comparing the amount of data stored in the memory section with a threshold amount, and a controller responsive to the results of the comparison by the load detecting section, for controlling the received data selecting and multiplexing section, the memory section, the transmission path interface section, and the load detecting section so as to switch operation of the communication device between duplex operation and single and work-dividing operation.

In accordance with a further exemplary embodiment, a communication method for use by a duplexed transmission device, which is in a load dispersion-type duplex communication system including a plurality of duplexed transmission devices, includes performing a duplex operation with another duplexed transmission device when the duplexed transmission device is in an allowable load state, and performing a single and work-dividing operation with the other transmission device when the duplexed transmission device is in an overload state

Blasbalg concerns a modular slot interchange digital exchange. Blasbalg discloses that during transmission of data or voice, there are active periods and inactive periods, and that in many operations, approximately 50% of transmission periods on the transmission channels are inactive. Blasbalg takes advantage of this inactivity to allocate *m* channels to *n* repeatedly sampled telephone line circuits, where *n* is greater than *m*.

Blasbalg achieves this by including one synchronizing bit in every 193 bits to indicate whether the associated bit stream is in an active period or an inactive period, If the bit stream is in an active period, then the circuit is allocated to a channel, but if the bit stream is in an inactive period, then the circuit is not allocated to a channel.

There is no showing or suggestion in Blasbalg of a transmission device that is responsive to being in an allowable load state to perform a duplex operation with another transmission device and is further responsive to being in an overload state to perform a single and work-dividing operation with the other transmission device.

As to independent claim 1, the Office Action cites Blasbalg at column 9, lines 5-20 as disclosing a load dispersion-type duplex communication system. That portion of Blasbalg does disclose a duplex communication system, but there is no disclosure of load dispersion of

the type claimed. The Office Action then cites Blasbalg at column 2, line 47-57 for the remaining aspects of claim 1. That passage discusses prior art which is perhaps relevant to the problems which Blasbalg seeks to remedy, but does not disclose or suggest the features of claim 1.

A review of the other passages of Blasbalg cited in the Office Action likewise failed to reveal the claimed features of Applicant's invention.

If the Examiner repeats the rejection based on Blasbalg, then the Examiner is respectfully requested to explicitly set forth the relationship of specific disclosure in Blasbalg to each particular element of the claimed invention.

It is noted that new independent claim 21 sets forth the method of the system of claim 1, and so claim 21 is examinable in this same application.

A certified copy of Japanese priority application 2000-248578 was filed with this application on August 15, 2001. The Office Action does not acknowledge receipt of it. Acknowledgement of receipt of the priority application is respectfully requested.

In view of the foregoing, Applicant submits that claims 1-21, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR §1.136. The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: March 1, 2005

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